

1 **IN THE UNITED STATES DISTRICT COURT**
2
3 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

4 CALIFORNIA SERVICE
5 EMPLOYEES HEALTH &
6 WELFARE TRUST FUND, et al.,

7 Plaintiffs,

8
9 v.

10 A & B MAINTENANCE, INC.,

11 Defendant.
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NO. CO7-4945 TEH

**STIPULATION TO CONTINUE
FRCP RULE 26 DISCLOSURES AND
CASE MANAGEMENT
CONFERENCE HEARING;**

**DECLARATION OF AREVA D.
MARTIN PURSUANT TO LOCAL
RULE 6-2(a);**

ORDER BASED THEREON

16
17 **STIPULATION**

18 WHEREAS, Defendant A&B MAINTENANCE, INC. ("Defendant") has filed
19
20 and served its Answer to the Complaint and Counterclaim against the Plaintiffs;

21 WHEREAS, the Court has set a Case Management Conference for March 10,
22
23 2008;

24 WHEREAS, under FRCP Rule 12(f)(6), Plaintiffs and Defendant ("Parties")
25
26 are required to submit their Joint Case Management Statement and Initial Disclosures
27 to the court no later than March 3, 2008;
28

1 WHEREAS, the Parties have agreed to stay temporarily the litigation as they
2 have entered into serious settlement negotiations and expect to resolve this matter;
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4 WHEREAS, the Parties desire to conserve resources while they participate in
5 settlement negotiations;
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7 THEREFORE, the Parties are stipulating to a 60-day continuance of the Case
8 Management Conference hearing from March 10 to May 12, 2008 or any date
9 thereafter that is most convenient for the court;
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1 The Parties further stipulate to the corresponding continuance of the due date
2 for submission of the Parties' Joint Case Management Statement and Initial
3 Disclosures under FRCP Rule 26(a).
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5 Dated: February 26, 2008

SALTZMAN & JOHNSON

7 By: Phillip M. Miller
8 Phillip Miller, Esq.
9 Kristen McCullough, Esq.
10 Attorneys for Plaintiffs
11 CALIFORNIA SERVICE
12 EMPLOYEES HEALTH &
13 WELFARE TRUST FUND, MIKE
14 GARCIA, Trustee, CHARLES
15 GILCHRIST, Trustee and
16 RAYMOND C. NANN.

15 Dated: February 26, 2008

MARTIN & MARTIN, LLP

17 By: Areva D. Martin
18 Areva D. Martin, Esq.
19 Rosa Kwong, Esq.
20 Attorneys for Defendant
21 A&B MAINTENANCE, INC.

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23 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**
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26 **DATED:**

27 **THELTON E. HENDERSON, JUDGE**
28 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT